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Moynihan Questions C.I.A.'s Latin Role

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Special to The New York Times

WASHINGTON, March 31 — Senator Daniel Patrick Moynihan, the vice chairman of the Senate Intelligence Committee, says Congress may have to tighten restrictions on American intelligence activities in Central America to prevent involvement in efforts to overthrow the Government of Nicaragua.

"A growing number of my colleagues question whether the C.I.A. is complying with the law," Mr. Moynihan, Democrat of New York, said in an interview. Last December, Congress approved an amendment to an omnibus appropriations bill for the fiscal year 1983 that prohibits American support for any military effort to topple the Nicaraguan Government.

"There is a crisis of confidence building between the committee and the intelligence community over this issue," Mr. Moynihan said.

The Central Intelligence Agency, which is responsible for the covert operations, has maintained to Congress that its support for paramilitary groups in Central America is for limited purposes, including the interdiction of arms to guerrillas in El Salvador, and does not involve an effort to overthrow the Nicaraguan Government.

'We're Not So Sure'

"They say it complies with the law," Mr. Moynihan said. "Committee members are saying we're not so sure. We may have to rewrite the law to make more explicit what our intentions are. I don't think intelligence officials have taken the measure of our concern here."

Mr. Moynihan's comments are the latest indication of the growing concern in Congress about American intelligence operations in Central America, particularly those focused on Nicaragua. They reflect as well a general uneasiness among members of both parties in Congress about the Reagan Administration's overall policy for the region.

In a letter sent to President Reagan last week and made public today, 36 Democrats and one Republican in the House warned that the C.I.A.'s activities in Central America may be violating the law. The letter urged Mr. Reagan to insure that covert intelligence operations in Central America comply with restrictions against supporting efforts to overthrow the Government of Nicaragua.

Three members of the House who returned today from a visit to Central America called for directly tying American economic and military assistance to El Salvador to progress in reaching a negotiated settlement of the conflict there.

The three — Representatives James L. Oberstar, Democrat of Minnesota, Bill Richardson, Democrat of New Mexico, and James M. Jeffords, Republican of Vermont — called for unconditional negotiations between the Salvadoran Government and the guerrillas. "At some point if progress is not made, the money will be cut off," Mr. Oberstar said at a news conference.

More Military Aid Sought

When Congress reconvenves next week, the Senate and House will resume consideration of an Administration request to increase military assistance to El Salvador from $26 million to $110 million for the current fiscal year.

Congressional concern about American intelligence activities in the region has been heightened by a recent increase in fighting between the military and anti-Government forces in Nicaragua. The hostilities, according to members of both the Senate and House intelligence committees, has raised questions about whether the C.I.A. has aided the anti-Government forces, violating the amendment passed by Congress.

Members of the Senate Intelligence Committee, including Democrats and Republicans, said this week that a majority of senators on the panel think that the C.I.A. has insufficient control over the paramilitary forces that it supports in the region. As a result, the senators said, units based in Honduras and Costa Rica that have received United States assistance, including money, advice and military equipment, have put some of that assistance to use during their current offensive in Nicaragua.

The law passed by Congress last year prohibits American support to paramilitary groups "for the purpose" of overthrowing the Nicaraguan Government.

The law, named for its sponsor in the House, Representative Edward P. Boland, Democrat of Massachusetts, chairman of the House Intelligence Committee, was passed after a flurry of published reports that the C.I.A. was providing arms and financial assistance to anti-Sandinist groups based in Honduras and Costa Rica.

Some members of Congress advocated adopting a more restrictive amendment that would bar American support for any paramilitary group in Central America.

After recent fighting between the military and anti-Government forces in Nicaragua, renewed proposals for a more restrictive amendment have been discussed. Representative Michael D. Barnes, Democrat of Maryland, chairman of the House foreign affairs subcommittee on Latin America, introduced such an amendment earlier this month.

Mr. Moynihan said that the Senate intelligence committee will review C.I.A. activities in Central America during the next several weeks. He said that the committee, which tries to operate on a bipartisan basis, has not as yet reached a consensus on whether the Boland amendment has been breached.

Other members, who asked not to be identified, said that sentiment on the committee runs strongly to the view that the law has been violated in spirit if not in letter. They said the committee chairman, Senator Barry M. Goldwater, Republican of Arizona, shares that opinion. Mr. Goldwater, who is away from Washington during the Congressional recess this week, could not be reached for comment.

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